

**Village of Woodridge  
2 Dairyland Road, box 655  
Woodridge, New York 12789**

**TO: ZONING BOARD APPLICANTS**

**AREA VARIANCE**

**FROM: VILLAGE OF WOODRIDGE ZONING BOARD OF APPEALS**

**SUBJECT: PLACEMENT ON ZONING BOARD OF APPEALS AGENDA**

**All Zoning Board Meetings are held on the First Wednesday of each month at 6:00pm**

**The Meetings are held at 2 Dairyland Road, Woodridge NY 12789 at the Village Hall.**

**Date of Next Meeting: \_\_\_\_\_**

**Deadline for Submission: \_\_\_\_\_**

In order to appear at a scheduled meeting of the Village of Woodridge Zoning Board of Appeals

**ALL of the following information must be on file in the Code Enforcement Office, **NO LATER THAN FIFTEEN (15) DAYS PRIOR TO THE DATE OF THE MEETING\*\*****

1. Completed Variance Application **(11 copies)**
2. Environmental Assessment Form (SEQRA)-Both sides please. **(11 copies)**
3. Site Plan Description (Drawing) **(11 copies)**
4. List of Adjoining Property Owners Located within 300' of property line **(1 copy)**
5. \$75.00 Filing Fee (check made payable to The Village of Woodridge- no cash accepted)
6. WRITTEN request to be placed on the Agenda for ANY upcoming Zoning Board of Appeals Meeting.
7. All packets must be put together with one each (#1, #2, #3) and stapled together as a packet.

**Do**

not submit 10 copies of each item separately. They must each form a packet for each Board member.

**NO VERBAL REQUESTS WILL BE ACCEPTED**

Legal Notices must be mailed **Certified** to all adjoining property owners located within 300' of the property line. The Code Enforcement Office will provide legal Notice.

**\*\*\* Mailings are the responsibility of the applicant or representative thereof. Notices must be mailed no more than ten and no less than five days from the date of the meeting.** The white certified mail receipts must be submitted at the meeting for which application is scheduled; they will subsequently be filed with the application in the Code Enforcement Office.

**\*\*\* The property will be posted with the official ZBA sign no later than the Friday before the meeting. There will be a \$50.00 deposit for the sign that is refundable upon receipt of the sign.**

## APPLICATION FOR AN AREA VARIANCE

Applicant Name: \_\_\_\_\_ Applicant Phone Number: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Zone: \_\_\_\_\_ Total Acres of Site: \_\_\_\_\_ S.B.L: \_\_\_\_\_

Directions To The Site:

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### TO THE ZONING BOARD OF APPEALS:

#### 1. STATEMENT OF OWNERSHIP AND INTEREST

The undersigned applicant(s) residing at, having a principal place of business at:

\_\_\_\_\_ is/are the Owner(s), Lessee(s), or other as follows: \_\_\_\_\_

Section 2 MUST be filled out in its entirety for each section of the code for which you are requesting a variance, in order to be placed on the Zoning Board of Appeals. Use additional sheets as needed.

#### 2. REQUEST

Village of Woodridge Section: \_\_\_\_\_

Purpose Variance: \_\_\_\_\_

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#### Extent or scope of Variance

From: \_\_\_\_\_  
 To: \_\_\_\_\_

#### 3. Attached hereto is a plan of the subject premises drawn to scale showing the following:

- Name of record owner(s) of premises and of all adjoining properties
- Location of existing structures
- Location of proposed structures
- Location of all existing and proposed streets or highways
- Any other information pertinent to application

#### 4. REASONS FOR REQUEST

The benefit to the applicant as weighted against any detriment to the health, safety and welfare of the neighborhood or community is in favor of the applicant as follows: (add information for the Board which fully explains the following factors)

1. No undesirable change will be produced in character of the neighborhood or a detriment to nearby properties will be created by granting the variance because

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2. The benefit sought cannot be achieved by some method feasible other than the area variance because

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3. The area variance is not substantial because

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4. The proposed variance will have not an adverse effect/impact on the physical or environmental conditions in the neighborhood/district because

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5. The alleged difficulty was not self-created (which shall be relevant but not necessarily preclude the variance) because

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6. This is the minimum variance deemed necessary and adequate to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because

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**THIS FORM MUST BE FILLED OUT IF YOU ARE GIVING SOMEONE ELSE PERMISSION TO ACT ON  
YOUR BEHALF DURING CONSTRUCTION**

**OWNERS PROXY**

(Owner) \_\_\_\_\_ deposes and states that he/she resides at:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

And that he/she is the owner of the premises described in the attached application for a building permit/zoning application/planning board application and further states that he/she has authorized \_\_\_\_\_ to make said application, secure any necessary permits and approvals, call for inspections, and request a certificate of occupancy upon satisfactory completion of the work described in said application.

Date: \_\_\_\_\_

Owners Signature: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

**PLEASE MAKE SPECIAL NOTE OF THE FOLLOWING  
ZONING SECTION 130-10.6-I CONCERNING  
EXPIRATION OF VARIANCE:**

**SECTION 130-10.6-I EXPIRATION:**

UNLESS CONSTRUCTION IS COMMENCED AND DILIGENTLY PURSUED WITHIN SIX [6] MONTHS OF THE DATE GRANTING OF THE VARIANCE, SUCH VARIANCE SHALL BECOME NULL AND VOID

IT IS IMPORTANT THAT YOU REQUEST FROM THE ZONING BOARD AN ADDITIONAL AMOUNT OF TIME IF YOU FEEL YOU WILL NEED MORE TIME IN REGARDS TO ACTUAL CONSTRUCTION START.

AN OPEN ENDED REQUEST WILL NOT BE CONSIDERED.

YOU MAY MAKE THIS REQUEST IN YOUR APPLICATION OR IN PERSON ON THE DATE OF YOUR VARIANCE HEARING AND THE DECISION MUST BE MADE A CONDITION OF APPROVAL AND PART OF THE RECORD.

YOUR FAILURE TO REQUEST THIS IMPORTANT CONDITION OF APPROVAL WILL CAUSE YOUR APPROVAL TO BECOME NULL AND VOID AFTER SIX MONTHS IF CONSTRUCTION IS NOT COMMENCED. YOU WILL BE DENIED A BUILDING PERMIT AND WILL NEED TO RE-APPLY FOR A NEW VARIANCE.

SIMPLY OBTAINING A BUILDING PERMIT DOES NOT CONSTITUTE COMPLIANCE WITH THIS SECTION OF THE ZONING CODE.

BY SIGNING, I STATE THAT I HAVE READ AND FULLY UNDERSTAND THE ABOVE.

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

THIS DOCUMENT MUST BE SUBMITTED WITH YOUR APPLICATION

**Each of the following findings of fact shall be made in writing by resolution by the Zoning Board of Appeals prior to granting such variances.**

#### **Area Variances**

- 1. The strict application of the literal terms of this Chapter would present practical difficulties in the use of the property. The term "practical difficulties" shall be deemed to exist where each of the following has been determined:**
  - A. The applicant has proved he cannot make a reasonable use of his land due to its particular size, shape or grade.**
  - B. The applicant has proved that economic injury will result from literal application of the standards of this Chapter and the Village has failed to show that the public health, safety and welfare will be served by upholding the application of the standards and denying the variance.**
  - C. The applicant has proved the variance, if granted would be the minimum necessary to render relief and the difficulty could not be obviated by some method feasible – or the applicant to pursue, other than a variance.**
  - D. The applicant has proved the variance, if granted, will not change the permitted density for the parcel.**
  - E. The applicant has proved the variance, if granted, would not change the character of the district or be a substantial detriment to adjoining properties.**
  - F. The applicant has proved the variance is not requested for reasons of mere inconvenience, aesthetic tastes or more profitable use.**
  - G. The applicant has proved the variance would be consistent with the spirit of this Chapter and the Village of Woodridge Comprehensive Zoning Plan.**
  - H. The applicant has proved the practical difficulties are not self-created. This requirement shall be strictly enforced, and practical difficulties related to properties acquired by the applicant related to properties acquired by the applicant subsequent to the effective date of this Chapter.**

## RELEASE FORM/ZBA SIGN

DATE: \_\_\_\_\_

Paid by:

- Cash**
- Money Order**
- Lawyers Escrow Check**
- Other** \_\_\_\_\_

The sign must be returned no later than 1 week after the ZBA meeting or the deposit will be forfeited.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

ZBA sign was returned on \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## ***Short Environmental Assessment Form***

### ***Part 1 - Project Information***

#### **Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>		
Name of Action or Project:		
Project Location (describe, and attach a location map):		
Brief Description of Proposed Action:		
Name of Applicant or Sponsor:	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		
If Yes, list agency(s) name and permit or approval:		
3.a. Total acreage of the site of the proposed action? _____ acres		
b. Total acreage to be physically disturbed? _____ acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres		
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)		
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____		
<input type="checkbox"/> Parkland		

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: _____	Date: _____	
Signature: _____		

The board of appeals shall, in granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Date: \_\_\_\_\_

Signature of applicant(s)

STATE OF NEW YORK  
COUNTY OF SULLIVAN

On the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me came \_\_\_\_\_ to me known to be the individual(s) described in and who executed the foregoing application for a variance and acknowledged that he/she/they executed the same.

Notary Public

As per section 130.13.6l of the Zoning Law, variances expire 6 months after the date it was granted if no work has begun with regard to the approved variance.

**Legal Notice**

Notice is hereby given that the Planning Board of the Village of Woodridge, County of Sullivan, State of New York will hold a public hearing at 2 Dairyland Road, Woodridge, New York 12789 (Village Hall) on \_\_\_\_\_ at 6:00 PM on the approval of the proposed \_\_\_\_\_ site plan \_\_\_\_\_ subdivision \_\_\_\_\_ special permit consisting of \_\_\_\_\_ on the lands of \_\_\_\_\_ located on \_\_\_\_\_. Application of the proposed \_\_\_\_\_ is on file and maybe inspected at the Code Enforcement Office located at 2 Dairyland Road, Woodridge, New York 12789 (Village Hall) prior to the public hearing.

Dated: \_\_\_\_\_

**BY ORDER OF THE VILLAGE OF WOODRIDGE ZONING BOARD**